

# Notice of Allowability

Application No.

09/891,295

Examiner

John L Young

Applicant(s)

MIYAZAKI ET AL.

Art Unit

3622

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 4/12/2004.
2. ☒ The allowed claim(s) is/are 12-19.
3. ☒ The drawings filed on 4/12/2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

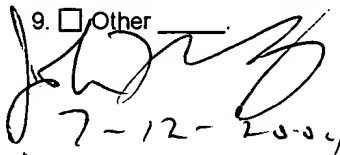
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other

JOHN LEONARD YOUNG, ESQ.  
PRIMARY EXAMINER

  
7-12-2004

**NOTICE OF ALLOWABILITY ( PAPER # 7/11/2004)**

**DRAWINGS**

1. The drawings submitted by applicant on 4/12/2004 are approved; see PTO Form 948.

**CLAIM STATUS**

2. Claims 12-19 are pending.

**CLAIM REJECTIONS — 35 U.S.C. §103( a )**

3. **Rejections Withdrawn.**

**REASONS FOR ALLOWABILITY**

4. The following are the Examiner's statements of reasons for allowability of the pending claims of the instant invention. The Applicant has sufficiently shown that the elements of independent claims 12 & 16 have multiple implementation details not disclosed in the prior art of record.

Independent claim 12 substantially recites in part: "An advertisement system on the Internet, said advertisement system including an advertisement server site and at least one partner web site which provides a web page on the Internet and which contains e-mail addresses of affiliate users of said at least one partner web site, wherein said advertisement server site comprises . . . advertisement banner providing means for providing said at least one partner web

Art Unit : 3622

site with at least one advertisement banner among the plurality of advertisement banners stored in said first database, the at least one advertisement banner being carried on the web page provided by said at least one partner web site; receiving means for receiving an identification of the at least one advertisement banner and an e-mail address of an end-user from the partner web site when the end-user browses the web page of the partner web site at a terminal of the end-user and clicks on the at least one advertisement banner. . . .”

Support for these elements and limitations are found in the specification of the instant application on at least p. 3. In this case, class searches, and word searches have shown that neither the closest reference Atsmon US 6,607,136 (PHYSICAL PRESENCE DIGITAL AUTHENTICATION SYSTEM) nor modification of the closest reference nor a combination of references exists which contain elements in an inclusive arrangement as claimed in the instant invention. Therefore, the art references of record do not precisely teach or suggest the combination of elements of the instant invention. Therefore, the instant invention as claimed in claim 12 is not anticipated by the prior art of record. Furthermore, the prior art references of record do not implicitly, individually or in combination disclose elements that would have rendered the claimed elements and limitations in the instant invention obvious to one of ordinary skill in the art at the time of the invention.

Art Unit : 3622

Dependent claims 13-15 are allowable because they depend from independent claim 12 which contains allowable subject matter.

Independent claim 16 substantially recites in part: "An advertisement system on the Internet, said advertisement system including an advertisement server site and at least one partner web site which provides a web page on the Internet; wherein said advertisement serve site comprises . . . second receiving means for receiving a vacant e-mail form the terminal of the end-user when the end-user clicks on the at least one advertisement banner on the web page that is browsed at the terminal of the end user and when said determining means determines that the e-mail address of the end-user has not been registered in said third database, and for storing an e-mail address with a unique user identification that is allocated to the end-user whose email has not been registered in said third database, wherein the vacant e-mail contains the AD identification of the at least one advertisement banner and the unique user identification, and the AD identification and the unique user identification are embedded in the at least one advertisement banner together whit a mailto tag that is indicative of an e-mail address of said advertisement server site. . . ."

Support for these elements and limitations are found in the specification of the instant application on at least p. 3. In this case, class searches, and word searches have shown that neither the closest reference Atsmon US 6,607,136

Art Unit : 3622

(PHYSICAL PRESENCE DIGITAL AUTHENTICATION SYSTEM) nor modification of the closest reference nor a combination of references exists which contain elements in an inclusive arrangement as claimed in the instant invention. Therefore, the prior art references of record do not precisely teach or suggest the combination of elements of the instant invention. Therefore, the instant invention as claimed in claim 16 is not anticipated by the prior art of record. Furthermore, the prior art references of record do not implicitly, individually or in combination disclose elements that would have rendered the claimed elements and limitations in the instant invention obvious to one of ordinary skill in the art at the time of the invention.

Dependent claims 17-19 are allowable because they depend from independent claim 16 which contains allowable subject matter.

### CONCLUSION

5. Any response to this action should be mailed to:

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Any response to this action may be sent via facsimile to either:

(703)305-7687 (for formal communications EXPEDITED PROCEDURE) or

(703) 305-7687 (for formal communications marked AFTER-FINAL) or

Art Unit : 3622

(703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

Hand delivered responses may be brought to:

Seventh Floor Receptionist  
Crystal Park V  
2451 Crystal Drive  
Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801 or (571) 272-6725. The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469 or (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the electronic Business Center (EBC) at 866-217-9197 (toll-free).

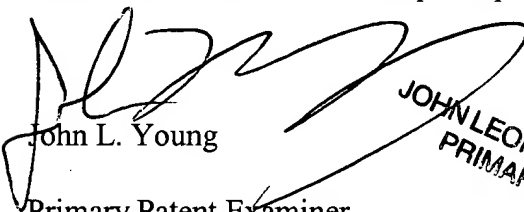
Application Number: 09/891,295

(Miyasaki et al.)

7

Art Unit : 3622

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.



John L. Young

Primary Patent Examiner

JOHN LEONARD YOUNG, ESQ.  
PRIMARY EXAMINER

March 22, 2005